

MESSAGE NO: 4007206 MESSAGE DATE: 01/07/2004

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4067111  
MESSAGE #  
(s):

CASE #(s): A-122-822

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2002 TO 07/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CORROSION RESISTANT CARBON  
STEEL FLAT PRODUCTS FROM CANADA (A-122-822)

MESSAGE NO: 4007206

DATE: 01 07 2004

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4067111

REFERENCE DATE: 03 08 1994

CASES: A - 122 - 822

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PERIOD COVERED: 08 01 2002 TO 07 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CORROSION  
RESISTANT CARBON STEEL FLAT PRODUCTS FROM CANADA  
(A-122-822)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT  
ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS.  
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION  
351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN  
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE  
PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS  
NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE

COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

COUNTRY	CASE NUMBER	PERIOD
CANADA	A-122-822	08/01/2002-07/31/2003

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

DOFASCO INC.  
SOREVCO AND COMPANY LTD.  
STELCO INC.  
CONTINUOUS COLOUR COAT, LTD.  
RUSSEL METALS EXPORT  
IDEAL ROOFING COMPANY LTD.  
IMPACT STEEL CANADA LTD.

3. IN A PREVIOUS MESSAGE (REFER TO MESSAGE NO: 4067111 SENT 03/08/1994), THE DEPARTMENT ASSIGNED CASH DEPOSIT RATES FOR MERCHANDISE ORIGINATING IN OTHER COUNTRIES BUT EXPORTED AS SUBJECT MERCHANDISE FROM CANADA. SUCH MERCHANDISE WAS ASSIGNED

SEPARATE ORDER NUMBERS FOR U.S. BUREAU OF CUSTOMS AND BORDER PROTECTION (BCBP) PURPOSES DEPENDING ON THE COUNTRY IN WHICH THE MERCHANDISE ORIGINATED. THE DEPARTMENT IS NOW INSTRUCTING THE BCBP TO LIQUIDATE SUCH ENTRIES ACCORDING TO THE RATE ASSIGNED TO THE CANADIAN EXPORTER FOR THE RELEVANT TIME PERIOD, WHERE THE MERCHANDISE IS SUBJECT TO THE CANADA ORDER.

FOR EXAMPLE, IF MERCHANDISE WERE IMPORTED INTO THE UNITED STATES, EXPORTED BY A CANADIAN PRODUCER/EXPORTER WITH SUFFIX -123 FROM CANADA, BUT ORIGINATING IN ARGENTINA, IT MIGHT BE IMPORTED UNDER THE ORDER NUMBER A-357-108-123.

THIS MERCHANDISE SHOULD NOW BE LIQUIDATED UNDER A-122-822-123, I.E., AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE

OF ENTRY FOR THE CANADIAN PRODUCER/EXPORTER WITH SUFFIX -123 FOR THE RELEVANT TIME PERIOD.

FOR FURTHER INFORMATION REGARDING THIS ISSUE, REFER TO PARAGRAPHS 5 AND 6 OF MESSAGE NO. 4066112 (DATED 03/07/1994) REGARDING COUNTRY OF ORIGIN ISSUES WITH RESPECT TO SUBJECT MERCHANDISE. THIS MESSAGE ALSO PROVIDED BCBP WITH THE APPROPRIATE FORMAT FOR BCBP IDENTIFICATION NUMBERS FOR STEEL THAT ORIGINATES IN ONE COUNTRY (INCLUDING THE U.S.) AND IS FURTHER MANUFACTURED IN ANOTHER COUNTRY, SUCH THAT THE PRODUCT IS CHANGED TO ANOTHER CLASS OR KIND (AND UNDERGOES A SUBSTANTIAL TRANSFORMATION FOR ANTIDUMPING PURPOSES BUT NOT FOR BCBP PURPOSES) BEFORE (RE)ENTERING THE U.S.

4. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE BCBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT BCBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT

UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, BCBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, BCBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY BCBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G307:CH).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party